

Application No.: 09/934,864

Docket No.: END920000183US1
(20135/00331)REMARKS

Claims 1-11 and 15-23 are now in the application. The indication that claims 17-20 are allowable over the prior art is hereby noted. Claim 1 has been amended to recite a temperature of "about 20°C to about 150°C" or a pressure of "about 15 torr to about 760 torr", as disclosed on page 4, lines 24-25 of the specification. Claims 1 and 17 have been amended to recite "composition" in place of "stream" for purposes of clarification and not to limit their scope. Claim 11 has been amended by changing its dependency to claim 2 and reciting "evaporation" in place of "distillation" for purpose of clarification and not to limit its scope. Claim 17 has also been amended to recite "and settling" in place of "to recover the said settling of the etching contaminants" for purposes of clarification and not to limit its scope. Claim 17 has been amended to recite "15" in place of "16" for consistency with the specification.

The amendments to the claims and newly presented claims 21-23 do not introduce any new matter.

The objection to the abstract has been overcome by the amended abstract.

The objections to claims 1-20 have been obviated by the above amendments to the claims. In particular, claim 1 now recites the temperatures and pressures. Claim 17 no longer recites "the said". Claim 17 also now recites "composition" in place of "stream". Claim 11 now recites "evaporation".

Claim 1-16 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,377,705 to Smith, Jr. et al. in view of U.S. Patent 6,033,996 to Rath et al. The cited references fail to render obvious claims 1-12, 15 and 16. In particular, as recognized by the Examiner the process of Smith differs from the claimed invention in that step b of claim 1 recites "removing non-volatile etching contaminants from the second stream to recover the organic solvent free of the etching contaminants".

Rath does not overcome the deficiencies of Smith with respect to render unpatentable the above claims. Rath does not disclose removing non-volatile etching contaminants from an organic solvent composition. The discussion in Rath related to removal of contaminants is not from the organic solvent but instead from the article such a wafer being treated. The organic solvent is a component of the composition used for the removal.

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Therefore, even if Rath were combined with Smith, Jr the process as recited in claims 1-12, 15 and 16 would still not be disclosed. Accordingly, the cited references fail to render obvious claims 1-12, 15 and 16.

CONCLUSION

In view of the above, consideration and allowance are, therefore, respectfully solicited. In the event that the Examiner believes an interview might serve to advance the prosecution of this application in any way, the undersigned attorney is available at the telephone number noted below.

The Director is hereby authorized to charge payment of any deficiency in the above fee(s) or to charge any additional fees required under 37 CFR § 1.16 or 1.17 or credit any overpayment to Deposit Account No. 22-0185. A duplicate copy of this authorization is attached for the Finance Branch.

Respectfully submitted,

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Attachment: Revised Abstract of the Disclosure